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EX PARTE OR LATE FILED

September 5, 1997

NOTICE OF EX PARTE PRESENTATION

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: *In the Matter of Petition for Expedited Rulemaking to Establish Reporting Requirements and Performance and Technical Standards for Operations Support Systems, File No. RM 9109*

Dear Mr. Caton:

In accordance with the Commission's rules governing ex parte presentations, please be advised that yesterday, Elizabeth Ham, William R. Dysart, M.E. (Peggy) Garber, and the undersigned, met with Donald Stockdale, Radhika Karmarkar, Jake Jennings, and Wendy Lader of the Common Carrier Bureau's Policy and Program Planning Division in connection with the above-referenced matter.

The purpose of the meeting was to discuss Southwestern Bell's position regarding the issues raised by the pending petition. The presentation did not include any new arguments not already reflected in Southwestern Bell's filings in this proceeding. Attached is a memorandum concerning performance measurements Southwestern Bell submitted to the Public Utility Commission of Texas in mediation.

Should you have any questions concerning the foregoing, do not hesitate to contact me. In accordance with the Commission's rules, an original and one copy of this notification are submitted herewith.

Very truly yours,

Attachment

cc: Ms. Karmarkar
Mr. Jennings
Ms. Lader
Mr. Stockdale

EXHIBIT A - PERFORMANCE MEASURES PROPOSED BY SWBT IN TEXAS

SOUTHWESTERN BELL TELEPHONE
PERFORMANCE MEASUREMENTS

Performance measurements provide data on processes important to the overall success of a business, in this case the provisioning and maintenance of local exchange telephone service. These performance measurements provide a "report card" as to the level of service provided to end user customers. In order to evaluate how "good" the service is, there needs to be some baseline to compare the actual performance. There are two approaches to use: (1) comparison to a standard or (2) comparison to an equivalent service. When we compare to an equivalent service, we are assessing performance parity.

Performance standards are levels of performance established for processes. These levels can be determined by an arbitrary means, by using an accepted industry standard, or by using historical data of an equivalent service to provide a benchmark. The most reliable method of establishing performance standards, if required, is to use historical data to provide a benchmark as to the level of service that can be expected.

SWBT is committed to providing service that treats the LSPs customers in a non-discriminatory manner. To this end SWBT's service is evaluated based on performance parity. Performance parity simple means providing the same level of service to the LSPs as SWBT provides to its own end user customers. However, parity can be assessed only when SWBT provides an equivalent service (i.e. resale of POTS compared to SWBT retail provisioning of POTS).

AT&T has proposed a set of performance measurements as set out in a document produced by the Local Competition User Group (LCUG). The LCUG defines measurements and associated standards. Most of these standards are not achievable and are not based on historical data. As described above, the most appropriate method to evaluate performance would be performance parity where comparable services are provided.

SOUTHWESTERN BELL TELEPHONE
PERFORMANCE MEASUREMENTS

Arising from the arbitration hearing, SWBT, AT&T and MCI will mediate the performance measurement issues in an attempt to establish a set of performance measurements that are acceptable to all parties. In response, SWBT has developed a comprehensive list of performance measurements to be used by SWBT and the LSPs (Attachment 1).

These performance measurements are divided into three categories: (1) resale POTS, (2) resale specials, and (3) Unbundled Network Elements (UNEs). Performance measurements are provided for pre-ordering/ordering, billing, center responsiveness, provisioning and maintenance in each of these three categories.

Historical comparative data with SWBT retail services will be provided for resale POTS and resale specials with the exception of Operational Support Systems that SWBT does not use. In the UNE environment, the LSP is responsible for providing services to it's end user customers. SWBT provides the UNEs to the LSP for it's use in providing services. Since SWBT does not offer UNE as an option to its retail customers, comparative data for UNEs to resold services does not exist. SWBT proposes that a valid comparison for UNE provisioning could be determined by examining migrations from LSP UNEs back to SWBT retail services. Since this would reflect the rebundling of services it would better reflect a like for like comparison. This same type comparison was proposed by the FCC in their response to the Ameritech 271 application, FCC 97-298 paragraph 141.

ATTACHMENT 1
SOUTHWESTERN BELL TELEPHONE COMPANY
PERFORMANCE MEASUREMENTS

RESALE POTS, RESALE SPECIALS AND UNES

Pre-Ordering/Ordering

1. **Measurement** - Average response time for OSS Interfaces
   Definition - Average response time by transaction (Address Verification, TN Assignment, PIC List, Dispatch Required, Due Date Information, Service Availability, CSR Data) from the SWBT side of the Remote Access Facility (RAF) and return. It should be noted that all transactions may not be available for all interfaces or for UNEs.
   Calculation - Total time by transaction type ÷ Total transactions by transaction type
   Report Structure - Reported on a company basis by interface for EASE, DATAGATE, VERIGATE, LEX, EDI.

2. **Measurement** - OSS Interface availability
   Definition - % of time OSS interface is available compared to scheduled availability
   Calculation - Unscheduled system unavailable hours ÷ Scheduled system available hours
   Report Structure - Reported on a company basis by interface for EASE, DATAGATE, VERIGATE, LEX, EDI, RAF

3. **Measurement** - % Mechanized Firm Order Confirmations (FOCs) received within 24 hours.
   Definition - % of FOCs received by CLEC within 24 hours of receipt of service order
   Calculation - # mechanized FOCs within 24 hours ÷ total mechanized FOCs sent
   Report Structure - Reported on a company basis not by individual CLEC. 100% sample will be used for mechanized FOC.

Billing

4. **Measurement** - Billing Accuracy
   Definition - % of bills that are in error as determined by a bill audit.
   Calculation - # of bills with errors ÷ Total number of bills audited.
   Report Structure - Reported for LSP, all LSPs and SWBT.

5. **Measurement** - Billing Completeness
   Definition - % of service orders on the bill for the current bill period.
   Calculation - # service orders included in current applicable bill period ÷ Total service orders in current applicable bill period.
   Report Structure - Reported for LSP, all LSPs and SWBT.

6. **Measurement** - Billing timeliness

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SOUTHWESTERN BELL TELEPHONE COMPANY
PERFORMANCE MEASUREMENTS

Definition - Comparison of the timeliness that bills are released by bill type (i.e. paper, Bill Plus, EDI, BDT)
Calculation - # bills released on time ÷ Total number of bills released
Report Structure - Reported for LSP, all LSPs and SWBT.

Miscellaneous Administrative

7. **Measurement** - LSC Grade Of Service (GOS)
   Definition - % of calls answered by the LSC within a specified period of time
   Calculation - Total number of calls answered by the LSC within a specified period of time ÷ Total number of calls answered by the LSC
   Report Structure - Reported for all calls to the LSC by all CLECs and SWBT retail.

8. **Measurement** - LOC Grade Of Service (GOS)
   Definition - % of calls answered by the LOC within a specified period of time
   Calculation - Total number of calls answered by the LOC within a specified period of time ÷ Total number of calls answered by the LOC
   Report Structure - Reported for all calls to the LSC by all CLECs and SWBT retail.

RESALE POTS

Provisioning

9. **Measurement** - Mean installation interval
   Definition - Average business days from application date to completion date for N,T,C orders, excluding customer requested due dates greater than 5 business days and excluding orders with only customer caused misses.
   Calculation - Total business days from application to completion date for N,T,C orders ÷ Total N,T,C orders (numerator and denominator exclude customer requested due dates greater than 5 days)
   Report Structure - Reported for POTS Resale by CLEC, total CLECs and SWBT retail.

10. **Measurement** - % Installations Completed within 5 business days (POTS)
    Definition - Measure of orders completed within 5 business days of receipt of confirmed service order for POTS resale service excluding orders where customer requested a due date greater than 5 business days and excluding orders with only customer caused misses.
    Calculation - Total N,T,C orders installed within business 5 days ÷ Total N,T,C orders (numerator and denominator exclude customer requested due dates greater than 5 business days)
    Report Structure - Reported for POTS Resale by CLEC, total CLECs and SWBT retail.

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SOUTHWESTERN BELL TELEPHONE COMPANY
PERFORMANCE MEASUREMENTS

11. **Measurement** - % Missed Due Dates
Definition - % of N,T,C orders where installation was not completed by the negotiated due date excluding misses caused by the customer.
Calculation - Total number of missed due dates for N,T,C orders excluding customer caused misses ÷ Total number of N,T,C orders
Report Structure - Reported for POTS Resale by CLEC, total CLECs and SWBT Retail.

12. **Measurement** - % Held Orders Due To Facilities
Definition - % N,T,C orders with missed committed due dates due to lack of facilities
Calculation - Total N,T,C orders with missed committed due dates due to lack of facilities ÷ Total N,T,C orders
Report Structure - Reported for POTS Resale by CLEC, all CLECs and SWBT Retail.

13. **Measurement** - % Installation Reports Within 10 Days (I-10)
Definition - % of N,T,C orders that receive a network (measured) trouble report within 10 calendar days of service order completion.
Calculation - Total number of N,T,C orders that receive a network (measured) trouble report within 10 calendar days of service order completion ÷ Total N,T,C orders (excludes trouble reports received on the due date)
Report Structure - Reported for POTS Resale by CLEC, total CLECs and SWBT retail.

14. **Measurement** - % No Access
Definition - % of Field Work (FW) N,T,C orders that are no accessed
Calculation - Total number of FW N,T,C orders that are no accessed ÷ Total number of FW N,T,C orders.
Report Structure - Reported for POTS Resale by CLEC, total CLECs and SWBT retail.

Maintenance

15. **Measurement** - Trouble Report Rate
Definition - The number of network (measured) trouble reports within a calendar month per 100 lines.
Calculation - Total number of network trouble reports ÷ (Total Resold POTS lines ÷100)
Report Structure - Reported for POTS Resale trouble reports by CLEC, all CLECs and SWBT retail. This measurement is only valid for line counts of 300,000 or greater.

ATTACHMENT 1
SOUTHWESTERN BELL TELEPHONE COMPANY
PERFORMANCE MEASUREMENTS

16. **Measurement** - % Missed Repair Commitments
Definition - % of trouble reports not cleared by the commitment time for company reasons.
Calculation - Total trouble reports not cleared by the commitment time for company reasons ÷ Total trouble reports.
Report Structure - Reported for POTS Resale trouble reports by CLEC, all CLECs and SWBT retail.

17. **Measurement** - Receipt To Clear Duration
Definition - Average duration of customer trouble reports from the receipt of the customer trouble report to the time the trouble report is cleared with the customer excluding subsequent, test OK and excludable reports.
Calculation - Total duration of customer network (measured) trouble reports ÷ Total customer network trouble reports.
Report Structure - Reported for POTS Resale trouble reports by CLEC, all CLECs and SWBT retail.

18. **Measurement** - % Out Of Service (OOS) < 24 Hours
Definition - % of OOS trouble reports cleared in less than 24 hours.
Calculation - Total number OOS trouble reports < 24 hours ÷ Total number of OOS trouble reports.
Report Structure - Reported for POTS Resale trouble reports by CLEC, all CLECs and SWBT retail.

19. **Measurement** - % Repeat Reports
Definition - % of customer trouble reports received within 10 calendar days of a previous customer report that were not caused by CPE or wiring excluding subsequent reports.
Calculation - Total customer trouble reports, not caused by CPE or wiring and excluding subsequent reports, received within 10 calendar days of a previous customer report ÷ Total customer trouble reports not caused by CPE or wiring and excluding subsequent reports.
Report Structure - Reported for POTS Resale trouble reports by CLEC, all CLECs and SWBT retail.

20. **Measurement** - % No Access
Definition - % of customer trouble reports with a status of "No Access".
Calculation - Total customer trouble reports with a status of "No Access" ÷ Total customer trouble reports.
Report Structure - Reported for POTS Resale trouble reports by CLEC, all CLECs and SWBT retail.

ATTACHMENT 1
SOUTHWESTERN BELL TELEPHONE COMPANY
PERFORMANCE MEASUREMENTS

RESALE SPECIALS

Provisioning

21. **Measurement** - % Missed Due Dates
    Definition - % of N,T,C orders where installations were not completed by the negotiated due date excluding misses caused by the customer.
    Calculation - Total number of N,T,C orders with missed due dates excluding customer caused misses ÷ Total number of N,T,C orders
    Report Structure - Reported separately for Voice Grade Private Line, DDS, DS1 and DS3 by CLEC, all CLECs and SWBT Retail.

22. **Measurement** - % Installation Reports Within 30 Days (I-30)
    Definition - % N,T,C orders that receive a network (measured) trouble report within 30 calendar days of service order completion.
    Calculation - Total number of N,T,C orders that receive a network (measured) trouble report within 30 calendar days of service order completion ÷ Total N,T,C orders (excludes trouble reports received on the due date)
    Report Structure - Reported separately for Voice Grade Private Line, DDS, DS1 and DS3 by CLEC, all CLECs and SWBT Retail

Maintenance

23. **Measurement** - Mean Time To Restore
    Definition - Average duration of network (measured) customer trouble reports from the receipt of the customer trouble report to the time the trouble report is cleared excluding no access and delayed maintenance.
    Calculation - Total duration of network (measured) customer trouble reports ÷ Total network customer trouble reports.
    Report Structure - Reported for Specials Resale trouble reports by CLEC, all CLECs and SWBT retail.

24. **Measurement** - % Repeat Reports
    Definition - % of network (measured) customer trouble reports received within 30 calendar days of a previous customer report
    Calculation - Total network (measured) customer trouble reports received within 30 calendar days of a previous customer report ÷ Total network (measured) customer trouble reports.
    Report Structure - Reported for Specials Resale trouble reports by CLEC, all CLECs and SWBT retail.

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PERFORMANCE MEASUREMENTS

25. **Measurement** - Failure Frequency
Definition - The number of network (measured) trouble reports within a calendar month per 100 circuits.
Calculation - Total number of network trouble reports ÷ (Total Resold circuits ÷100)
Report Structure - Reported for Specials Resale trouble reports by CLEC, all CLECs and SWBT retail.

UNBUNDLED NETWORK ELEMENTS (UNES)

Provisioning

26. **Measurement** - % Missed Due Dates
Definition - % of UNE N,T,C orders where installations are not completed by the negotiated due date excluding misses caused by the customer.
Calculation - Total number N,T,C orders with missed due dates excluding customer caused misses ÷ Total number of UNE N,T,C orders
Report Structure - Reported for UNE service orders by CLEC, all CLECs and SWBT migrations.

27. **Measurement** - % Installation Reports Within 30 Days (I-30)
Definition - % UNE N,T,C orders that receive a network (measured) trouble report within 30 calendar days of service order completion.
Calculation - Total number of UNE N,T,C orders that receive a network (measured) trouble report within 30 calendar days of service order completion ÷ Total UNE N,T,C orders (excludes trouble reports received on the due date)
Report Structure - Reported for UNE service orders by CLEC , all CLECs and SWBT migrations.

Maintenance

28. **Measurement** - Trouble Report Rate
Definition - The number of network (measured) trouble reports within a calendar month per 100 UNEs.
Calculation - Total number of network trouble reports ÷ (Total UNEs ÷100)
Report Structure - Reported for UNE trouble reports by CLEC , all CLECs and SWBT migrations. For the purposes of this measurement a UNE is defined to be UNE loop + UNE port + UNE combination loop and port + sub loops.

29. **Measurement** - % Missed Repair Commitments
Definition - % of trouble reports not cleared by the commitment time for company reasons.
Calculation - Total trouble reports not cleared by the commitment time for company reasons ÷ Total trouble reports.

ATTACHMENT 1
SOUTHWESTERN BELL TELEPHONE COMPANY
PERFORMANCE MEASUREMENTS

Report Structure - Reported for UNE trouble reports by CLEC , all CLECs and SWBT migrations.

30. **Measurement** - Mean Time To Restore
    Definition - Average duration of network (measured) customer trouble reports from the receipt of the customer trouble report to the time the trouble report is cleared excluding no access and delayed maintenance.
    Calculation - Total duration of network (measured) customer trouble reports ÷ Total network customer trouble reports.
    Report Structure - Reported for UNE trouble reports by CLEC , all CLECs and SWBT migrations.

31. **Measurement** - % Out Of Service (OOS) < 24 Hours
    Definition - % of OOS trouble reports cleared in less than 24 hours.
    Calculation - Total number UNE OOS trouble reports < 24 hours ÷ Total number of UNE OOS trouble reports.
    Report Structure - Reported for UNE trouble reports by CLEC , all CLECs and SWBT migrations.

32. **Measurement** - % Repeat Reports
    Definition - % of network (measured) customer trouble reports received within 30 calendar days of a previous customer report
    Calculation - Total network (measured) customer trouble reports received within 30 calendar days of a previous customer report ÷ Total network (measured) customer trouble reports.
    Report Structure - Reported for UNE trouble reports by CLEC , all CLECs and SWBT migrations.

ATTACHMENT 1
SOUTHWESTERN BELL TELEPHONE COMPANY
PERFORMANCE MEASUREMENTS

LCUG CONCERNS

General

1. SWBT is opposed to standards as proposed in the LCUG document. Performance parity should be the measure of non-discriminatory service. The appropriate comparison for SWBT's provision of services to AT&T for resale would be SWBT's provision of retail services to it's end user customers. SWBT would also propose that the appropriate comparison for SWBT's provision of UNEs to AT&T would be the migration of those UNE based customers converting their accounts to SWBT.

Pre-Order

1. SWBT does not agree with the Standards stated for OSS transaction times. SWBT provides average transaction times and percent availability for OSSs.

Ordering and Provisioning

1. Orders completed within specified intervals - SWBT can support the measurements as described for resale. However, SWBT believes the provisioning intervals as stated in the LCUG document for resale and UNE are too short.
2. Order accuracy - SWBT does not measure order accuracy as described in the LCUG document. This performance measurement is being investigated to determine if and when it can be provided.
3. Order Status - The measurements in this section are measures of upstream processes. Performance measurements should be those measurements that are "closest" to the customer. If a problem would occur in % missed due dates it might be necessary to "peel the onion" and take a look at these upstream processes. However, for the purposes of evaluating performance, it is not necessary to measure these processes other than on a "fault" investigation basis.

Operator Services and Directory Assistance

1. Average speed to answer - LSP Operator services and directory assistance calls use the same facilities and operators as SWBT customers. Therefore, parity is achieved via the serving arrangement. If an LSP requires these measurements, these measurements can be provided on an aggregated basis.

Network Performance Parity

1. Network Performance Parity - The transmission quality measurements are not performance measurements, they are engineering measurements evaluated against standards. Design standards are adhered to when installing circuits and loops. They are only measured after installation when a customer reports a trouble. Speed of

connection measurements are network design criteria that apply to all customers. If a problem exists for an LSP it will also exist for the SWBT. Therefore, there is no need to measure to determine non-discriminatory service. Reliability requirements are not performance measurements that should be tracked on an ongoing basis. When a major network event occurs it will affect all customers in the affected area. SWBT will report any major event to the LSPs.

Interconnect / Unbundled Elements and Combos

1. SWBT agrees that A-link availability is an important measurement to the LSP when they are connected to the LSP's switch. However, the remaining measurements should not be required for SS7.
2. By design of LIDB, all users including LSPs will receive the same level of service. Therefore, there is no comparative measurements that are available.
3. SWBT needs additional clarification on the measurements for the LSP OS platform.

ATTACHMENT 2
SOUTHWESTERN BELL TELEPHONE COMPANY
PERFORMANCE MEASUREMENT MATRIX

Pre-Ordering/Ordering	SWBT	LSP	All LSP
1. OSS Average Response Time			Yes
2. % OSS Availability			Yes
3. % Mechanized Firm Order Confirmations (FOCs) received within 24 hours.			Yes
Billing			
4. Accuracy	Yes	Yes	Yes
5. Timeliness	Yes	Yes	Yes
6. Completeness	Yes	Yes	Yes
Administrative			
7. LSC Grade Of Service			Yes
8. LOC Grade Of Service	Yes		Yes
Resale POTS Provisioning			
9. Mean Installation Interval	Yes	Yes	Yes
10. % Installations Completed Within 5 Business Days (POTS)	Yes	Yes	Yes
11. % Missed Due Dates	Yes	Yes	Yes
12. % Held Orders Due To Lack Of Facilities	Yes	Yes	Yes
13. % Installation Reports Within 10 days (I10)	Yes	Yes	Yes
14. % No Access	Yes	Yes	Yes
Resale POTS Maintenance			
15. Trouble Report Rate	Yes	Yes	Yes
16. % Missed Repair Commitments	Yes	Yes	Yes
17. Receipt To Clear Duration	Yes	Yes	Yes
18. % Out Of Service (OOS) < 24 Hours	Yes	Yes	Yes
19. % Repeat Reports	Yes	Yes	Yes
20. % No Access	Yes	Yes	Yes
Resale Specials Provisioning			
21. % Missed Due Dates	Yes	Yes	Yes
22. % Installation Reports Within 30 Days (I30)	Yes	Yes	Yes
Resale Specials Maintenance			
23. Mean Time To Restore	Yes	Yes	Yes
24. % Repeat Reports	Yes	Yes	Yes
25. Failure Frequency	Yes	Yes	Yes
UNE Provisioning			
26. % Missed Due Dates		Yes	Yes
27. % Installation Reports Within 30 Days (I30)		Yes	Yes

ATTACHMENT 2
SOUTHWESTERN BELL TELEPHONE COMPANY
PERFORMANCE MEASUREMENT MATRIX

UNE Maintenance	SWBT	LSP	All LSP
28. Trouble Report Rate		Yes	Yes
29. % Missed Repair Commitments		Yes	Yes
30. Mean Time To Restore		Yes	Yes
31. % Out Of Service (OOS) < 24 hours		Yes	Yes
32. % Repeat Reports		Yes	Yes